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| EXAMINER |
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CHEUNG, MARY DA ZHI WANG

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| ART UNIT | PAPER NUMBER |
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3621

DATE MAILED: 04/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/478,112

Applicant(s)

STURTEVANT ET AL.

Examiner

Mary Cheung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13, 14, 16-21 and 23-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13, 14, 16-21 and 23-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This office action is in response to the amendment filed on January 28, 2005.

Claims 1-11, 13-14, 16-21 and 23-27 are pending.

Response to Arguments

2. Applicant's arguments filed January 28, 2005 have been fully considered but they are not persuasive.

Applicant argues that Dircks (U. S. Patent 6,584,568) fails to disclose managing any relationships between users based on the information contained in the .sec files. Examiner respectfully disagrees. Dircks teaches managing relationships between users such as "Daemon servers as an interface for personal desktop facility by channeling any communications to or from the user..." (abstract and column 3 lines 16-18). Furthermore, the Daemon server determines what operations are permissible based on the .sec files (column 7 lines 29-31, 43-57).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 9-11, 16-18, 21, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, U. S. Patent 6,233,576 in view of Dircks et al., U. S. Patent 6,584,568 and in further view of Anand et al., U. S. Patent 6,044,466.

As to claims 1, 16-18, 21, 23 and 25, Lewis teaches a method, a computer readable medium storing a software program that is capable of configuring a machine to perform a process, and an apparatus comprising:

- a) Making at least one digital facility available from a source to clients via an electronic communication medium (Figs. 1-2);
- b) Associating with at least one of clients an access permission that enables the client to access at least one of the digital facilities (column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2);
- c) Associating with at least one of the clients a grant permission that enables the client to give to another client a permission with respect to at least one of the digital facilities (column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2);

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d) Managing relationships between clients via the electronic communication medium with respect to the digital facility (column 8 lines 20-43 and Fig. 1).

Lewis does not specifically teach associating with at least one of the clients a preference information that reflects one or more preferences of the clients, and creating a client profile for at least one of the clients based on the preference information and the permission information associated with the client, and managing relationships between clients via the electronic communication medium with respect to the digital facility based on the profiles of the clients. However, Dircks teaches associating with at least one of the clients a preference information, and creating a client profile for at least one of the clients based on the preference information and the permission information, and managing relationships between clients via the electronic communication medium with respect to the digital facility based on the profile of the clients (column 3 lines 20-27 and column 7 lines 40 – column 8 line 5 and column 17 lines 10-19; *specifically, the client profile corresponds to the “.sec file” in Dircks’ teaching, and the permission information corresponds to the access privileges or security profile in Dircks’ teaching*). It would have been obvious to one of ordinary skill in the art at the time of the invention to allow Lewis’ teaching to include the features of creating a client profile based on the preference information and the permission information of the client, and managing relationships between clients and the digital facility based on the client profile as taught by Dircks because this would allow the clients to efficiently and securely access the permitted information.

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Lewis modified by Dircks does not specifically teach the user permission with respect to the digital facility is determined by a combination of an individual permission and company permission. However, this concept is taught by Anand as combining plurality of permissions to determine an ultimate permission (abstract and column 6 lines 8-29). Although, Anand does not specifically teach the plurality of permissions are an individual permission and company permission. It would have been obvious to one of ordinary skill in the art to allow the plurality of permissions in Anand's teaching to be further defined and categorized (i.e. individual permission, company permission, etc.) to better meet user's specification. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user's permission in the teaching of Lewis modified by Dircks to be a combination of the plurality of permissions, and the plurality of permissions can be further defined and categorized (i.e. individual permission, company permission, etc.) as taught by the modified teaching of Anand for better granting permissions to users and further preventing unauthorized access.

As to claim 2, Lewis teaches the user permission that is granted to another user comprises a perform permission (column 7 lines 36-67).

As to claim 3, Lewis teaches the user permission that is granted to another user comprises a grant permission (column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2).

As to claim 4, Lewis teaches the digital facility comprises data (Figs. 1-2).

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As to claim 5, Lewis teaches the digital facility comprises a service (Figs. 1-2).

As to claim 9, Lewis teaches an electronic communication medium as discussed above. Lewis does not explicitly teach the electronic communication medium comprises the Internet. However, Dircks teaches an electronic communication medium comprises the Internet (Fig.1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the electronic communication medium in Lewis' teaching to include the Internet for faster communication among the users.

As to claim 10, Lewis teaches the client can give another user both perform permission and grant permission (column 7 lines 36-67 and column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2).

As to claim 11, Lewis teaches the digital facility comprises an application program, and the application defines permissions grantable to clients (column 12 line 64 – column 13 line 15).

5. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, U. S. Patent 6,233,576 in view of Dircks et al., U. S. Patent 6,584,568.

As to claim 27, Lewis modified by Dircks teaches the similar limitations as claims 1, 16-18, 21, 23 and 25 as discussed above. In addition, Lewis further teaches creating and defining a relationship between two parties (column 7 lines 36-44 and column 12 line 5 – column 13 line 15 and column 14 lines 38-67), which corresponds to the claimed limitation that making a user who creates a user profiles for another user a relationship manager of the other user.

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6. Claim 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, U. S. Patent 6,233,576 in view of Dircks et al., U. S. Patent 6,584,568 in further view of Schneider et al., U. S. Patent 6,178,505.

As to claims 19-20, Lewis modified by Dircks teaches the similar limitations as claim 27 discussed above. In addition, Lewis modified by Dircks does not explicitly teach a web server and web browsers. However, these well-known features are specifically taught by Schneider (column 4 lines 58-67 and Fig. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the web server and web browsers as taught by Schneider in the teaching of Lewis modified by Dircks for faster communication among the users.

7. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, U. S. Patent 6,233,576 in view of Dircks et al., U. S. Patent 6,584,568 and Anand et al., U. S. Patent 6,044,466, and in further view of Schneider et al., U. S. Patent 6,178,505.

As to claims 6-7, Lewis modified by Dircks and Anand teaches using the Internet for electronic communications as discussed above. Lewis modified by Dircks and Anand does not explicitly teach that the source comprises a web server, and the user comprises individuals using web browsers. However, these well-known features are specifically taught by Schneider (column 4 lines 58-67 and Fig. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the web server and web browsers as taught by Schneider in the teaching of Lewis modified by Dircks and Anand for faster communication among the users.

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As to claim 8, Lewis modified by Dircks and Anand does not specifically teach the users are employees of companies. However, Schneider teaches this matter (column 4 lines 58-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teaching of Lewis modified by Dircks and Anand to be used for employees of companies as taught by Schneider so that this secured system would be expanded its usage environment.

8. Claims 13-14, 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, U. S. Patent 6,233,576 in view of Dircks et al., U. S. Patent 6,584,568 and Anand et al., U. S. Patent 6,044,466, and in further view of Abadi et al., U. S. Patent 5,173,939.

As to claims 13-14 and 26, Lewis modified by Dircks and Anand teaches granting permission to users as discussed above. Lewis modified by Dircks and Anand does not specifically teach the user permission comprises an aggregate of permissions, the aggregate permission includes fundamental permissions that have arguments of a common type. Abadi teaches this matter (Figs. 2-5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the aggregate permission and the fundamental permission in the system of Lewis modified by Dircks and Anand for better granting permissions.

As to claim 24, Lewis modified by Dircks and Anand does not specifically teach the permissions comprise cascading permissions. However, Abadi teaches this matter (column 6 line 50 – column 7 line 35). It would have been obvious to one of ordinary

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skill in the art at the time the invention was made to include the cascading permissions in the system of Lewis modified by Dircks and Anand for better granting permissions.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is 571-272-6705. The examiner can normally be reached on M-Th (10:00-7:30) first Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mary Cheung
Patent Examiner
Art Unit 3621
April 20, 2005

